

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HTI Financial Solutions Limited, :
: Plaintiff, : 24cv237 (DLC)
: :
-v- : : ORDER
: :
SMI USA Group LLC and SMI 520 Fifth Ave:
LLC, :
: Defendants. :
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DENISE COTE, District Judge:

HTI Financial Solutions Limited ("HTI") purchased bonds as an investment in the development of a tower in midtown Manhattan. On January 11, 2024, following a default, HTI sued the issuer of the bonds, Manhattan SMI KG Properties Finance Limited, and several guarantors. HTI consented to the dismissal of claims against most of the defendants to preserve diversity jurisdiction. The remaining defendants were two of the guarantors, SMI USA Group LLC ("SMI USA") and SMI 520 Fifth Ave LLC. An Opinion and Order of October 9 found that these two remaining defendants are liable to HTI. On October 25, judgment was entered in the amount of \$338,953,314 on a joint and several basis.

On February 14, 2025, HTI filed a motion for a turnover order against SMI USA pursuant to Rule 69, Fed. R. Civ. P., and C.P.L.R. §§ 5225(a) and 5240. HTI contends that SMI USA holds

shares in SMI Central Park Tower LLC, a Delaware limited liability company that indirectly owns Central Park Tower, a residential skyscraper in Manhattan. HTI requests that SMI USA be ordered to turn over the entirety of its ownership interest in SMI Central Park Tower LLC to HTI. Any opposition was due by February 28, but no opposition was filed. See Local Civ. R. 6.1(b). Accordingly, it is hereby

ORDERED that HTI shall, by April 7, 2025, file a proposed order for a turnover against SMI USA.

Dated: New York, New York
April 4, 2025



DENISE COTE
United States District Judge